HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
and
HON'BLE MS JUSTICE G. ROHINI

TAKEN UP WRIT PETITION No.11221 OF 2006

Between:

Sri G. Gopala Rao and another

.....Petitioner

AND

The Govt. of A.P., represented by
The Secretary, Medical and Health Department,
Secretariat, Hyderabad and four others

.....Respondents

::ORDER::

Counsel for the respondents : Government Pleader for Medical, Health and Family Welfare

October 30, 2007

Per G.S.Singhvi, CJ

Letter petition sent by Shri G. Gopala Rao and Shri Ch.V.B. Prasad, Contract Para Medical Staff, Ashwaraopet, Khammam District with the complaint that the respondents have not taken steps to provide medical facilities to the people of rural areas by appointing sufficient field staff against the existing vacancies was treated as a taken up petition and notices were issued to the respondents.

In last one year and about five months, several interim orders were passed for appointment of medical and paramedical staff in the Primary Health Centres, Community Health Centres and Hospitals situated in the rural parts of the State. In compliance of these orders, the authorities of Medical and Health Department have taken several steps to improve the medical facilities in the rural areas and substantive steps have been taken to recruit officers and employees. The details of some of the steps taken have been incorporated in order dated 26-2-2007, which reads as under:

"In pursuance of the Court's order dated 20.02.2007, Shri P.K. Agarwal, Principal Secretary, Medical Health and Family Welfare has appeared in person and given a written note containing the steps taken by the Government in last one year for augmenting medical services in the rural areas of the State. The note of Shri Agarwal reads as under:

1. In every village of the State, one Woman Health Volunteer is being identified, trained and positioned to act as 'Health Resource Person-of-First Resort' to help and advice the rural people on health issues, give first aid and advise in maternal, infant, and child health issues.

2. Accordingly, 55,400 Women Health Volunteers are being selected, trained at the rate of one per 1000 population. The WHV are also provided a Medicine Kit for primary care and minor ailments. Till date about 50,000

WHVs have completed their training and have been positioned in the village, and medicine kits supplied to them. 8500 Tribal Community Health Workers have already been positioned in all the tribal villages in the state.

3. Government has further approved creation of a 2nd ANM position in each Rural Health Sub-Center in the State. Accordingly, 12522 additional ANM positions will be filled up in the State in a phased manner over three years. For 2006-07, Government has approved filling up of 3756 second ANM positions in selected Rural Health Sub-Centers. Advertisement has been issued for the recruitment of the same in January 2007, and will be completed by 31 March 2007.

4. Government has also advertised filling up of 2469 regular vacancies of ANM positions in the Rural Health Sub-Centers in the state. This is, however, pending due to a stay order passed by the Court.

5. 800 out of the 1570 PHCs. sbeing strengthened as 24-Hour Mother and Child Health Centers by providing 2 additional Staff Nurses; additional budget for drugs and consumables; and emergency transportation of patients. 1040 Staff Nurses are already in place, and 560 Staff Nurses are in the process of being recruited.

6. During 2006-07, in interior and tribal areas, Government have setup 38 new PHCs, and converted 44 dispensaries as PHCs in the State.

7. Government is further strengthening the Community Health Centers and Area Hospitals in small towns and rural areas in the State (total 224) as Comprehensive Emergency Obstetric and Neonatal Care Centers (CEMONC Centers), where at least four obstetricians, and the requisite complement of staff nurses, other staff, drugs and consumable budget has been provided. Of these, 108 have been made operational in 2005-06; 40 are being made operational in the current year, and balance 76 are proposed to be done in 2007-08.

8. Under the program, Government has recruited 92 obstetricians, 31 pediatricians, and 72 MBBS Lady Medical Officers to work in the CEMONC Center Hospitals and NICU hospitals in the State. Efforts are being made to recruit specialist doctors for the remaining positions also. 635 Staff Nurses have been recruited and process is on to recruit another 560 Staff Nurses and 560 ANMs for the NICUs.

9. Government has further strengthened 168 hospitals in the State as Neonatal Intensive Care Units (NICU). Each of these NICUs will have at least one Pediatrician and supporting staff; additional drug and consumable budget and required equipment.

10. General MBBS Doctors working in the rural areas of the State are being trained in Emergency Obstetric Care, Emergency Pediatric Care and

Emergency Anesthetic Care, to improve life-saving emergency services for the people in the rural areas.

11. Hospital Development Societies (HDS) have been reconstituted for all the 1870 PHCs and Hospitals in the State. These HDSs are being provided funds and given powers to undertake repairs to civil and electrical works in the hospitals, purchase of emergency drugs and consumables, organizing emergency health camps in times of natural calamities, etc.,

12. Under the 12th Finance Commission Grants, Government has released Rs.22.51 crores to carry out repairs and improvements to hospital buildings in the entire State. Also, under the NRHM, Government have sanctioned additional buildings for 151 hospitals in the rural areas and small towns in the State, at a cost Rs. 67.5 crores to improve the maternal and child health services for the poor people.

13. 200 Ambulances have been sanctioned for all the PHCs, and Hospitals in the State, for those institutions that do not have ambulances now.

14. Medicine budget for the hospitals and PHCs in the State has been increased over the past few years from Rs.61.0 crores in 2003-04 to 146.05 crores in 2007-08.

15. Further, the per-bed budget allocation for consumables, drugs, and other supplies in Government hospitals has been increased from Rs.8000/- per bed per year to Rs.12,000/- per bed per year. Patient diet charges have also been increased from Rs.15-/ per day per inpatient, to Rs.20/-; and for TB/Mental patients, it has been increased from RS.20 to Rs.28/-.

16. A scheme to provide emergency health transport services to the people in the rural areas in the State is now implemented. The scheme is the first of its kind in the entire country. 432 ambulances would be run in the rural areas of the State to ferry pregnant woman in need of transport to the hospitals and emergencies such as accidents, snake bites etc. The Emergency Management and Research Institute, a Not-For-Profit Organisation, has been entrusted with the responsibility of running the ambulances.

17. Again, for the first time in the country, government is implementing a scheme under which any person it the State from any interior village or big city can call a single toll-free number for information, advice and guidance on any health emergency or other situation. The “Health Information Help Line”, when fully functional, will have more than about 250 trained call-receivers, paramedical triage-persons, specialist-doctors in the core areas of obstetrics, pediatrics and general medicine on a 24 hours per day and 365 days a year basis.

The Helpline will have database of all the medical, diagnostic, and other clinical services in every town and village in the State, in Government, Private, Non-profit and other sectors, including their working hours, experts available, fees and charges, etc. The Helpline will also provide to the callers the complete information on all Government schemes in the health sector, and will also receive complaints from the general public on inadequate or poor quality service-delivery in the government hospitals and other health institutions.

Recruitment made to various posts from 27.10.2006 till date.

Sl. No.	Cadre	Posts notified	Personal recruited	Remarks
1.	Civil Assistant Surgeons	586	443	
2.	Dental Assistant Surgeon	220	212	
3.	Staff Nurse	725	398	
4.	Radiographers	110	-	Under Process (APAT)
5.	Pharmacist Gd II	114		-do-
6.	Lab technicians Gd II	127	-	-do-
7.	Dark room assistant	111	-	-do-(APAT)
8.	Nursing Orderly	186	-	-do-
9.	Lab Attendant	5	-	-do-
10.	Multi Purpose Health Workers	-	1224	

We appreciate the endeavour made by the department for ensuring that better medical care is provided to the rural areas of the State and hope that the recruitment process initiated by the department will be completed soon and adequate number of staff in different cadres and ranks will be made available for hospitals etc. established in rural areas of the State.

In response to the Court's query as to what steps the Government proposed to take to discourage the members of various cadres posted in the rural areas from leaving the service or seeking transfers, Shri Agarwal stated that he would study the matter and come back to the Court. He requests for two months' time for the purpose of placing before the Court a comprehensive plan for ensuring that the persons posted in primary health centers etc. do not seek transfers to urban areas.

The request of Shri Agarwal is accepted and the case is adjourned to 26.04.2007."

On 19-7-2007, learned Government Pleader placed before the Court copy of G.O.Ms.No. 228 and G.O.Ms.No. 229 dated 7-7-2007, whereby the State Government decided to recruit 969 Civil Assistant Surgeons and 759 Staff Nurses.

Smt. Annapurna, learned Government Pleader for Medical and Health says that the process of recruitment of 969 Civil Assistant Surgeons has been completed, but appointment orders could not be issued on account of the interim order passed by the Supreme Court in petitions for special leave to appeal filed by those who could not persuade the High Court to stay the policy of reservation for Backward Class 'E' Category (muslim minorities). According to her, appointment orders will be issued after the stay is vacated or the matter is finally decided. She also gave out that process for recruiting 759 Staff Nurses is under way and the same will be completed within a maximum period of one month from today.

In view of the above developments, the proceedings of this case are closed with the hope and trust that as soon as cloud on the process of recruitment is lifted, the State will take necessary steps for posting the selected candidates in rural areas of the State.

G.S.SINGHVI, CJ

G. ROHINI, J

October 30, 2007
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